

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	No. 1:11-CR-76-HSM-CCS
)	
ERICA KNIGHT,)	
)	
Defendant.)	

ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, Standing Order 13-02, and the Rules of this Court. Now before the Court is Defendant's *pro se* Motion to Reduce Sentence and for Appointment of Counsel [Doc. 174]. The Defendant files her Motion to Reduce Sentence pursuant to Amendment 782 to the United States Sentencing Guidelines, which reduces "by two levels the offense levels" assigned to § 2D1.1, and § 2D1.11. FCJ Federal Sentencing Guidelines Manual Amendment 782 (November 1, 2014). The Defendant requests the appointment of counsel to assist in her efforts.

Attorney Paul Bergmann, III was previously appointed to represent the Defendant on October 31, 2011. [Doc. 7]. Pursuant to Standing Order 14-07, the Federal Defender Services of Eastern Tennessee ("FDS") is appointed to represent all defendants who may be affected by Amendment 782, unless "the defendant has retained counsel or the previously appointed CJA attorney wishes to represent the defendant." Accordingly, it is **ORDERED** that Attorney Bergmann will have ten (10) days from the entry of this Order to file formal notice with this Court if he intends to represent the Defendant in this matter.

The Court hereby **GRANTS** the Defendant's request for the appointment of counsel [Doc. 174]. If Attorney Bergmann files the above notice, then he is **APPOINTED** to represent

the Defendant pursuant to the Criminal Justice Act. See 18 U.S.C. § 3006A(c). Should Attorney Bergmann decline to file such notice, the Court hereby **APPOINTS** FDS as counsel to represent Defendant in the evaluation and, if appropriate, adjudication of her motion to reduce her sentence [Doc. 174] pursuant to Amendment 782. Nothing in this Order shall be construed as a determination of Defendant's eligibility under Amendment 782 to the United States Sentencing Guidelines.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge